

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

ROBERT WOODWARD
#0452670

PLAINTIFF

v.

No. 5:19-cv-258-DPM

WENDY KELLEY, Director, ADC;
JAMES GIBSON, Warden;
DEXTER PAYNE, Deputy
Director, ADC; MAPLES,
Lieutenant; and JIM DePRIEST,
Assistant Director, ADC

DEFENDANTS

ORDER

On *de novo* review, the Court adopts Magistrate Judge Ray's recommendation, *Doc. 21*, and overrules Woodward's objections, *Doc. 23*. FED. R. CIV. P. 72(b)(3). Woodward's individual capacity claims against Kelley, Gibson, and DePriest are barred and will be dismissed with prejudice. Woodward's individual capacity claims against Payne and Maples will be dismissed without prejudice for failure to state a claim. And his official capacity claims against all Defendants will be dismissed with prejudice. The Court certifies that an *in forma pauperis* appeal from this Order and accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

25 September 2020